

Mar-05-04 16:34 From-PILLSBURY WINTHROP

703-905-2500

T-788 P.001

F-662

Attorney's Docket: 021123-0273989
Client Reference: 990168 BT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

Confirmation No: 8596

MÖCKEL ET AL.

Group Art Unit: 1652

Application No.: 09/725,178

Examiner: R. HUSTON

Filed: November 29, 2000

Title: NOVEL NUCLEOTIDE SEQUENCES ENCODING THE GPM GENE

March 5, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATION OF FACSIMILE TRANSMISSION
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers (18 pages in total, including this coversheet) are being facsimile transmitted to the Patent and Trademark Office at (703) 872-9306 on the date shown above:

Petition to Withdraw Holding of Abandonment Pursuant to 37 C.F.R.
§ 1.181(a).

PILLSBURY WINTHROP LLP


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Mar-05-04 16:34 From-PILLSBURY WINTHROP
Attorney's Docket: 021123-0273989
Client Reference: 990168 BT

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T-788 P.002

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In re Application of

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Appln. No.: 09/725,178

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* * * * *

March 5, 2004

PETITION TO WITHDRAW HOLDING OF
ABANDONMENT PURSUANT TO 37 C.F.R. § 1.181(a)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition is in response to the "Notice of Abandonment" (failure to respond to an official action dated April 22, 2003) dated January 5, 2004, with respect to the above-identified patent application. Pursuant to the provisions of 37 C.F.R. §1.181(a), the applicants hereby request withdrawal of the holding of abandonment. The applicants submit that the application is not abandoned.

Enclosed (as Appendix A) is a copy of the applicants' response (including a petition for an extension of time to file in the second month and requisite fee, all dated September 22, 2003) to the official action dated April 22, 2003. As proof that the applicants' response was properly filed with the Office, enclosed (as Appendix B) is a copy of a receipt stamped by the OIPE indicating that said response was filed on September 22, 2003.

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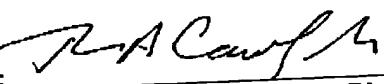
T-788 P.003/018 F-662

MÖCKEL et al. -- Appln. No. 09/725,178
Client/Matter: 021123-0273989

In view of the foregoing, the applicants submit that the present application is not abandoned. Therefore, the applicants request that the holding of abandonment be immediately withdrawn.

The applicants submit that although no fee is due for consideration of the present application in that the application is not abandoned and the petition has been presented under 37 C.F.R. §1.181(a), should the Patent Office determine that a fee is due for presentation of this request, the Patent Office is authorized to charge said fee to Deposit Account No. 03-3975, under Order No. 021123-0273989.

Respectfully submitted,
PILLSBURY WINTHROP LLP

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